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Attorneys for Plaintiff CTI III, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

CTI III, LLC,

Plaintiff,

v.

BARRY DEVINE, an individual;
TRI-MERIT, LLC, an Illinois limited
liability company; and DOES 1
through 50,

Defendant.

CASE NO. 2:21-cv-02184-JAM-DB

**STIPULATION TO AMEND
SCHEDULING ORDER; ORDER**

Judge: Hon. John A. Mendez

I. JOINT ADMINISTRATIVE MOTION

Plaintiff CTI III, LLC (“CTI”) and Defendants Barry Devine (“Devine”) and Tri-Merit, LLC (“Tri-Merit”) (collectively, the “Parties”) jointly submit this administrative motion for relief pursuant to Local Rule 233.

On May 25, 2023, DLA Piper LLP (US) substituted into this action on behalf of CTI. On July 6, 2023, the Parties met-and-conferred regarding outstanding discovery as well as case management. As part of those discussions, and given the status of discovery in this action, the Parties have mutually agreed to request a continuance of all deadlines—as set by this Court’s January 25, 2022 Pretrial Scheduling Order—by at least 90 days. Accordingly, the Parties entered into the stipulation below and respectfully request that the Court issue an amended pretrial scheduling order.

II. STIPULATION TO AMEND PRETRIAL SCHEDULING ORDER

The Parties have stipulated to the following continuance of deadlines given the status of discovery in this action and CTI’s new counsel’s recent substitution:

<u>Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Expert Disclosures	8/4/23	11/2/23
Rebuttal Expert Disclosures	9/1/23	12/15/23
Mid-Litigation Statements	10/20/23	1/18/24
Discovery Cutoff	11/3/23	3/1/24
Dispositive Motion	12/15/23 (heard by 1/23/24)	4/19/24 (heard by 6/7/24)
Final Pretrial Conference	3/15/24 @ 10 a.m.	8/2/24
Trial	4/29/24 @ 9 a.m.	9/16/24 (or next available date)

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1 Dated: July 20, 2023

DLA PIPER LLP (US)

2 By: /s/ Matthew F. Miller

3 MATTHEW F. MILLER

4 JEFFREY TSAI

5 TOM LIN

6 Attorneys for Plaintiff

CTI III, LLC

7 Dated: July 21, 2023

FORTIS LAW PARTNERS

NOONAN LAW GROUP

8 By: /s/ Todd Noonan (as authorized on 7/21/2023)

9 CARA THORNTON (*Pro Hac Vice*)

10 TODD NOONAN

11 Attorneys for Defendant

12 BARRY DEVINE

13 Dated: July 21, 2023

GREENBERG TRAURIG, LLP

14 By: /s/ Todd Pickles (as authorized on 7/21/2023)

15 KURT A. KAPPES

16 TODD PICKLES

17 MADELINE ORLANDO

18 Attorneys for Defendant

19 TRI-MERIT, LLC

ORDER

After full consideration of the Parties' Joint Stipulation to Amend the Pretrial Scheduling Order and good causing appearing;

IT IS HEREBY ORDERED:

1. The Expert Disclosures are due November 2, 2023;
2. The Rebuttal Expert Disclosures are due December 15, 2023;
3. The Mid-Litigation Statements are due January 18, 2024;
4. The Discovery Cutoff is March 1, 2024;
5. The last date to file Dispositive Motions is April 19, 2024
6. All Dispositive Motions are to be noticed for hearing on heard by June 4, 2024;
7. The Final Pretrial Conference is scheduled for August 2, 2024, at 11:00 AM; and
8. The Trial is scheduled for September 16, 2024, at 9:00 AM.

Dated: July 24, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE

ORDER